

Any legitimate business involved in distributing or dispensing prescriptions welcomes appropriate oversight and regulation. Further, we know these businesses value a collaborative working relationship with agencies like the Drug Enforcement Administration.

Manufacturers, distributors, and pharmacies alike are on the front lines every day in the fight to end the prescription drug abuse epidemic. They are making efforts to educate prescribers and patients about the safe use and disposal of prescriptions and working to implement prescription drug monitoring programs that will reduce the illegal diversion of powerful opioid pain relievers.

Despite a strong commitment to being part of the solution, distributors and pharmacists are finding that the unnecessary adversarial regulatory environment created by the DEA is putting effective enforcement outcomes in jeopardy.

As a former district attorney and United States attorney, I have fond memories of working with DEA agents to put away drug dealers. To say that I have the highest regard for the DEA and the work they do does not even begin to convey my respect for the agency and its front-line employees.

I actually went with agents and busted down drug houses. They were watching my back. I trusted them then, and I trust them now. That is why I am so passionate about this subject and why I think it is necessary to pass H.R. 4709 today.

This bill will bring much-needed clarity to critical provisions of the Controlled Substances Act. In doing so, we will ensure that the DEA's authorities are not abused and threatened by future legal challenges; foster greater collaboration, communication, and transparency between the DEA and supply chain; create more opportunities to identify bad actors at the end of the supply chain; and, most importantly, be certain that prescriptions are accessible to patients in need.

We are all in this together. We cannot enforce our way out of this epidemic. Education, treatment, and enforcement are all critical to addressing the problem, but so is collaboration.

The clarity that H.R. 4709 brings will ensure that the current regulatory culture evolves into one that rewards cooperation and brings more successful diversion control efforts in the future.

I want to thank my friend, Congresswoman BLACKBURN, for working closely with my team and me to develop the bill. I want to thank our champions on the other side of the aisle, Dr. JUDY CHU and Representative PETER WELCH, for their leadership and efforts to bring us here today.

We could not have achieved this without the efforts of Chairman PITTS and Chairman UPTON and their staff on the Energy and Commerce Committee. I also must thank House Judiciary Committee Chairman GOODLATTE for his forthright suggestions that made

this a more effective measure worthy of consideration by this House.

Mr. PITTS. Mr. Speaker, I urge all of my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCCLINTOCK). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 4709, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

21ST CENTURY ENDANGERED SPECIES TRANSPARENCY ACT

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 4315.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 693 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4315.

The Chair appoints the gentleman from Illinois (Mr. RODNEY DAVIS) to preside over the Committee of the Whole.

□ 1457

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4315) to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes, with Mr. RODNEY DAVIS of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Oregon (Mr. DEFazio) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring before the House legislation that would

help update and improve the Endangered Species Act, a law that was passed initially 40 years ago, but has not been reauthorized since 1988.

H.R. 4315 melds together four commonsense and focused bills introduced earlier this year by myself and my colleagues, Mrs. LUMMIS of Wyoming, Mr. NEUGEBAUER of Texas, and Mr. HUIZENGA of Michigan. While respecting the original intent of the ESA to conserve species, this bill would help make the law more effective for both species and people.

□ 1500

Because of the more than 500 ESA-related lawsuits that have been filed against the government during this administration alone, it has become clear that costly litigation is not only driving ESA priorities but that litigation has become an impediment to species recovery.

I should also note that, regardless of what some groups are saying, this is not a comprehensive bill. It is four sections that aim to increase transparency; to enlist greater consultation by States, localities, and tribes; and to reduce taxpayer-financed attorneys' fees to help invest more funding in actual species recovery.

For example, section 2 of the bill requires data used by Federal agencies that decide which species should be added to the threatened or endangered list to be publicly available and accessible through the Internet. What a remarkable idea—transparency. The last significant update to the ESA was when the Internet was in its infancy stages. Posting data supporting key ESA decisions online will greatly enhance transparency and data quality. The American people should be able to access such data before Federal listing or delisting decisions are final.

It is troubling that hundreds of sweeping listing decisions by the Fish and Wildlife Service and the National Marine Fisheries Service cite unpublished studies, professional opinions, and other sources that are inaccessible to the public, yet this data would be used to regulate the very people who don't have access to this information. This secrecy goes against the grain of good science and transparency. Data transparency is not only good for the American public, in that it makes our government more accountable, but it is also good for species because it allows for an open conversation about improving species science.

As biologist Rob Roy Ramey testified at a Natural Resources Committee hearing:

When the data are not publicly accessible, legitimate scientific inquiry and debate is effectively eliminated, and no independent third party can produce the results. This action puts the basis of some ESA decisions outside the realm of science, and species recovery is no better off. Withholding data does not further the goal of species recovery.

I couldn't agree more with that statement, especially when over 700 species could potentially be listed over